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The following constitutes the order of the Court.
Signed: February 17, 2023

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M. Elaine Hammond

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M. Elaine Hammond
U.S. Bankruptcy Judge

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UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

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In re
Y. ROGER YU,
Debtor.) Case No. 23-50023 MEH
) Chapter 13
) Date: 02/16/23
) Time: 2:30 p.m.
) Ctrm: 11

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TRIAL SCHEDULING ORDER

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A preliminary relief from stay hearing was held February 16, 2023 on the motions of Douglas G. Sykes (the "Creditor") for relief from the automatic stay with respect to real property located at:

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1047 Cherry Street, San Carlos, California [Dkt. #19]

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36500 Alder Court, Fremont, California [Dkt. #22]

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37591 3rd Street, Fremont, California [Dkt. #27]

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115 College Avenue, Mountain View, California [Dkt #30]

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Appearances were stated on the record. Good cause appearing; it is

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ORDERED as follows:

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1. A final hearing on these relief from stay matters is set for March 15, 2023 at 9:00 a.m. in Courtroom 11, 280 South First Street, San Jose, California. One full day has been reserved for trial.

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2. The issues to be resolved at the hearing are as follows: 1) relief under 11 U.S.C. § 362(d)(2); and 2) relief under 11 U.S.C. § 362(d)(4).

3. The parties are required to meet and confer and retain an interpreter to be used at trial. The cost of the interpreter will be shared between the parties.

4. No later than seven days prior to the evidentiary hearing, each party must: (1) provide the other party with (but not file) copies of all exhibits such party intends to introduce into evidence, excluding exhibits to be used solely for impeachment, and of any summaries or compilations to be introduced under Fed. R. Evid. 1006; and (2) serve and file a witness list (for case in chief only).

5. Parties that wish to submit a trial brief must, no later than March 10, 2023, serve and file a brief. Trial briefs are optional.

6. The parties shall submit all exhibits in electronic format three days prior to trial (except those solely for impeachment). The exhibits may be submitted to courtroom deputy Anna Rosales by email or thumb drive. Each exhibit shall be pre-marked by the proponent prior to the hearing. Creditor's exhibits shall be numbered and Debtor's exhibits shall be lettered. The parties may stipulate to use joint exhibits and to the manner in which they will be designated.

7. No later than three days prior to the trial the parties must meet and confer regarding the matters in the following paragraph.

8. At the commencement of the trial, the parties shall be prepared to stipulate into evidence all exhibits that are admissible for at least one purpose, and as to which there is no dispute as to authenticity or the ability of the opposing party to lay a foundation.

9. Pursuant to Fed. R. Bankr. P. 7016 and Fed. R. Civ. P. 16(f), any failure of a party to comply timely with this order may result in judgment against such party, removal of the hearing from calendar, exclusion of evidence, or imposition of monetary or non-monetary sanctions.

10. The parties are encouraged to meet and confer prior to the evidentiary hearing.

END OF ORDER

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3 All ECF Recipients

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